

**SEALED**

AO 91 (Rev. 11/11) Criminal Complaint

**UNITED STATES DISTRICT COURT**  
for the

Southern District of Texas

United States Courts Southern  
District of Texas  
FILED*August 31, 2023*

United States of America

v.

Diego Flores / USA 1995

)

Nathan Ochsner, Clerk of Court

Case No. 7:23-MJ-01540

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 29, 2023 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(I), and 1324(a)(1)(A)(V)(II) Transporting aliens from a location in Mission, Texas, to a location in Falfurrias, Texas, by means of a motor vehicle

This criminal complaint is based on these facts:

See Attachment A

 Continued on the attached sheet.*Ruben Mendoza*

Ruben Mendoza

*Complainant's signature*Ruben Mendoza / United States Border Patrol Agent*Printed name and title*

*Judge's signature*J. Scott Hacker, United States Magistrate Judge*Printed name and title*

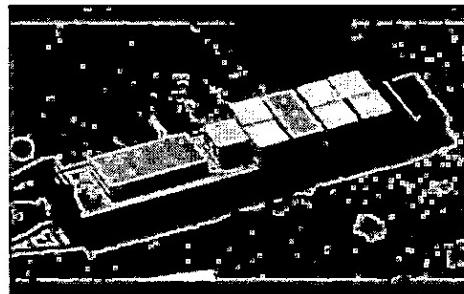
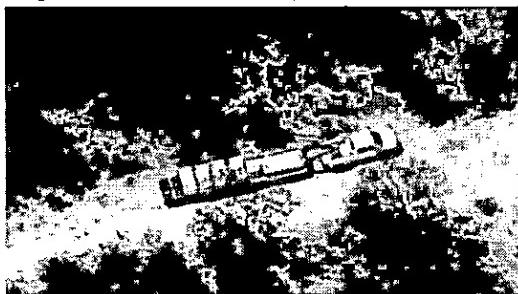
Submitted by reliable electronic means, sworn to and attested telephonically per FED.R.CR.4.1, and probable cause found on:

Date: August 31, 2023 at 9:02 AMCity and state: McAllen, Texas

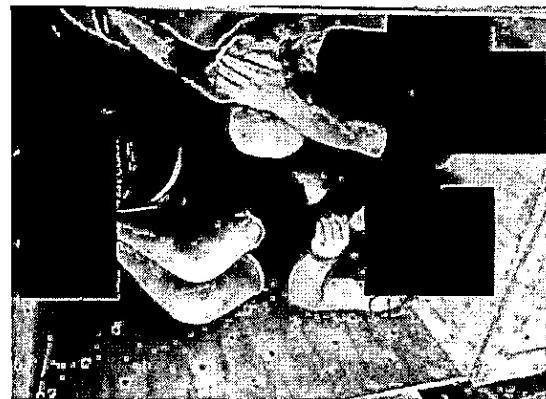
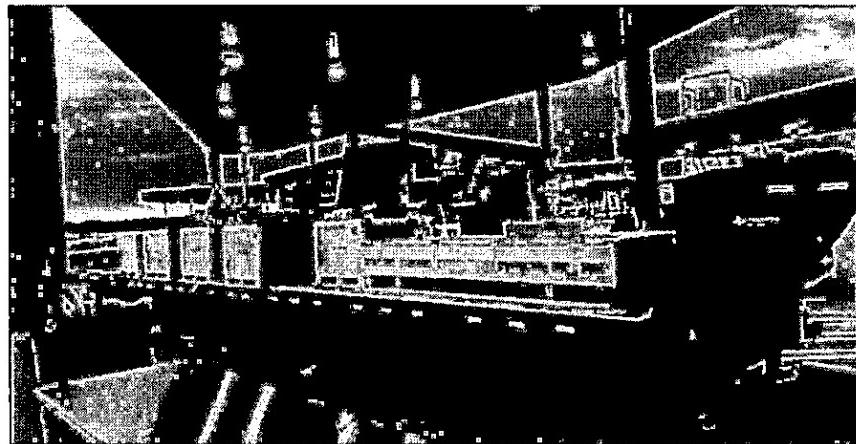
**ATTACHMENT A**

I, Ruben Mendoza, am a United States Border Patrol Agent and have knowledge of the following facts:

1. On August 29, 2023, United States Border Patrol Agents encountered a 1 on 36 alien smuggling case at the Falfurrias, Texas USBP Checkpoint.
2. Earlier that week, Agents had conducted surveillance at a previously identified human smuggling stash house located in Mission, Texas, and observed a flat-bed trailer with wooden crates being moved on the property.



3. On August 29, 2023, at approximately 5:00 a.m., Agents observed a white Dodge Ram depart the property of the stash house in Mission, Texas. The Dodge Ram was towing a flat-bed trailer loaded with wooden crates.
4. The Dodge Ram was observed stopping at a nearby gas station where it met with a grey Dodge Ram. The occupants were observed transferring the flat-bed trailer to the grey Dodge Ram. The grey Dodge Ram was now towing the flat-bed trailer.
5. The grey Dodge Ram was followed to the Falfurrias, Texas USBP Checkpoint. At the Checkpoint, thirty-six (36) undocumented noncitizens were discovered inside the wooden crates with no means of escape.



6. The driver of the truck provided a post Miranda statement regarding the morning's events. He stated he was a "hot shot" driver who picked up the load earlier that morning from an individual he has done business with on previous occasions. A "hot shot" driver is a driver who transports machinery or goods using his own vehicle and/or trailer from one place to another. He claimed no knowledge of the persons who were inside the crates and claimed he was told they were loaded with pressure release valves. According to him, this was a legitimate "hot shot" load. The driver positively identified [REDACTED] as the individual who delivered the flatbed trailer to him earlier that morning.
7. Material witness Carlos Martinez-Diaz, a citizen and national of El Salvador and a noncitizen of the United States, provided a post Miranda Statement. Martinez-Diaz stated paid approximately \$16,500 USD to get smuggled into the United States. Martinez-Diaz described the ranch he was being harbored at as being in poor condition with no running water or electricity. He positively identified Diego FLORES as the "Boss" of the smuggling operations. He stated Diego FLORES arrived several days earlier and told them he was in charge of everything. He stated Diego FLORES threatened

them and instructed them not to leave the house. Martinez positively identified [REDACTED] as one of the drivers for the smuggling organization. Martinez positively identified Antonio CUEVAS-Lozano as the caretaker at the ranch and stated CUEVAS-Lozano had transported him to the ranch several days earlier.

8. Material Witness Elvin Diaz-Lianez, a citizen and national of Honduras and a noncitizen of the United States, provided a post Miranda Statement. Diaz-Lianez stated he paid approximately \$17,000 USD to get smuggled into the United States. Diaz-Lianez described the ranch he was being harbored at and stated there was no running water or electricity. He positively identified [REDACTED] as a forklift operator who loaded the wooden crates onto the trailer several days earlier. Diaz positively identified Diego FLORES as the person in charge of the operation. Diaz stated Diego FLORES arrived several days earlier and introduced himself to everyone as "El Jefe" ("The Boss"). Diaz positively identified [REDACTED] as the person who closed the wooden crates once they entered them. Diaz positively identified Antonio CUEVAS-Lozano as the caretaker and as the person who transported him to the ranch several days earlier. He also stated CUEVAS-Lozano would feed them at the ranch.
9. Material Witness Ever Lopez-Garcia, a citizen and national of El Salvador and a noncitizen of the United States, provided a post Miranda Statement. Lopez-Garcia stated he paid approximately \$9,000 USD to get smuggled into the United States. Lopez-Garcia stated after crossing illegally into the United States, he was taken to a ranch where he stayed for several days. Lopez-Garcia positively identified Diego FLORES as one of the smugglers. He stated Diego FLORES told them he was in charge. Lopez-Garcia positively identified Antonio CUEVAS-Lozano as the caretaker.